

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:22-cr-13

vs.

Hon. Paul L. Maloney
United States District Judge

JOSE SANTOS BARAJAS-CEJA,

Defendant.

GOVERNMENT'S SENTENCING MEMORANDUM

Jose Santos Barajas-Ceja is scheduled for sentencing on May 19, 2025, for the offense of reentering the United States without authorization after having been removed, in violation of 8 U.S.C. § 1326(a). A Presentence Investigation Report has been prepared. Based on an adjusted offense level of 6 and a criminal history category of III, his advisory guideline range is 2-8 months.

Mr. Barajas-Ceja was removed to Mexico in 2013 and 2016. (R. 29: Presentence Investigation Report, PageID.117, ¶ 8.) He has eight prior driving-related convictions, five of which involved driving while intoxicated. (*Id.* PageID.120-24, ¶s 31-38.) He has pending charges for a sixth operating while intoxicated arrest and breaking and entering with injury to personal property. (*Id.* PageID.125-26, ¶s 46, 47.) He has a pattern of providing law enforcement officers with false names (*Id.* PageID.120-22, ¶s 31, 36, 37) and falsely ascribing the responsibility for his misconduct to phantom drivers. (*Id.* PageID.121, 123, ¶s 35,

38.) Without apparent irony, he identified being honest as his best personality trait. (*Id.* PageID.129, ¶ 59.) He further declared his proudest accomplishment as being the type of father he is and providing for his family, despite being \$30,000 in arrears for child support payments. (*Id.* PageID.128, 129, 131, ¶s 58, 59, 74.)

Most incredibly, despite his pending charge and multiple convictions for driving with excessively high levels of alcohol in his system, he “believes he does not abuse alcohol” and does not believe substance abuse treatment would be beneficial at the current time. (*Id.* PageID.130, ¶s 64, 65.) Defendant’s ability to engage in self-delusion is further illustrated by his statement that “alcohol will not be an issue for him in the future” because “he has voluntarily remained alcohol free for two years multiple times in his life.” (*Id.* PageID.130, ¶ 64.)

The Government submits that promotion of respect for the law, deterrence, and just punishment are relevant sentencing factors, but protection of the public from further crimes of the Defendant is paramount. His abysmal record of driving while intoxicated combined with his inability or unwillingness to respect or reform makes him a continuing future threat to the innocent public.

Defendant was taken into federal custody in North Carolina on December 4, 2024, and has been detained since that date.

Based on Mr. Barajas-Ceja’s financial condition and the likelihood of immediate removal upon completion of his sentence, the United States moves to remit the special assessment under 18 U.S.C. § 3573(1).

Respectfully submitted,

ANDREW BYERLY BIRGE
Acting United States Attorney

Dated: May 2, 2025

/s/ Donald Daniels
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